

AUG 30 2005

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Deliver to: Ryan F. Pitaro, USPTO

Art Group: 2174

Facsimile No.: (571) 273-8300

Date: August 30, 2005

From: Paul A. Mendonsa, Reg. No. 42,879

Our Docket No.: 42390P13351

Number of pages 2 including this sheet.

Application No.: 10/039,740

Filing Date: 1/3/2002

Docket Due Date(s): 9/3/2005

Enclosed are the following documents:

- | | |
|--|---|
| <input type="checkbox"/> Amendment: (pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: (pgs) w/cover & abstract | <input type="checkbox"/> Petition for: |
| <input type="checkbox"/> Assignment & Cover Sheet (pgs) | <input checked="" type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of Facsimile | <input type="checkbox"/> Reply Brief (pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Declaration & POA (pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Drawings: sheets, figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: | <input type="checkbox"/> Response to Written Opinion (pgs) |
| <input type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> IDS & PTO/SB/08 (pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Gayle Bekish

8/30/2005

Date

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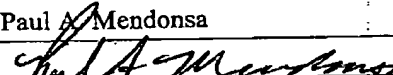
**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. 1450
Alexandria, VA 22313-1450

Application No.	10/039,740
Filing Date	January 3, 2002
First Named Inventor	Adam T. Lake
Art Unit	2174
Examiner Name	Ryan F. Pitaro
Attorney Docket Number	42390P13351

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 3, 2005
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2668.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
- ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☐ Other: (\$0.00) _____
- b. ☐ Check in the amount of \$790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

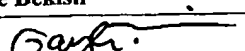
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Paul A. Mendonsa	Registration No. (Attorney/Agent)	42,879
Signature		Date	August 30, 2005

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August 30, 2005

Name (Print/Type)	Gayle Bekish	Date	August 30, 2005
Signature			

Based on PTO/SB/30 (09-03) as modified by Blakely, Sokoloff, Taylor & Zelman (wtr) 02/10/2004.
SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450